

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

_____	)	
BLANE FRIEST, <i>individually and on</i>	)	
<i>behalf of a class of similarly situated</i>	)	
<i>individuals,</i>	)	
Plaintiff,	)	Civil Action No. 2:16-cv-03327-SDW-LDW
	)	
v.	)	
	)	<b>ORDER</b>
LUXOTTICA GROUP S.P.A.;	)	
LUXOTTICA USA, LLC; LUXOTTICA	)	
RETAIL NORTH AMERICA, INC.; THE	)	
UNITED STATES SHOE CORP. t/a	)	December 16, 2016
LENSCRAFTERS; JOHN DOES 1-5; and	)	
ABC CORPS 6-10,	)	
Defendants.	)	
_____		

**WIGENTON**, District Judge.

This matter, having come before this Court on the Motion to Dismiss of Defendants Luxottica Group S.p.A.; Luxottica USA, LLC; Luxottica Retail North America, Inc.; and The United States Shoe Corp. t/a LensCrafters; pursuant to Federal Rule of Civil Procedure 12(b)(6); and this Court having considered the parties' submissions; for the reasons stated in this Court's Opinion dated December 16, 2016;

**IT IS** on this 16<sup>th</sup> day of December, 2016,

**ORDERED** that Defendants' Motion is **GRANTED**, and it is further;

**ORDERED** that Count I is **DISMISSED** with prejudice and Counts II-VI are **DISMISSED** without prejudice.

s/ Susan D. Wigenton  
**SUSAN D. WIGENTON**  
**UNITED STATES DISTRICT JUDGE**

Orig: Clerk  
cc: Leda D. Wettre, U.S.M.J.  
Parties